United Nations A/C.6/54/L.17

General Assembly

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15 November 1999

Original: English

Fifty-fourth session
Sixth Committee
Agenda item 157
Report of the Committee on Relations with the Host Country

Bulgaria, Canada, Costa Rica, Côte d'Ivoire and Cyprus: draft resolution

Report of the Committee on Relations with the Host Country

The General Assembly,

Having considered the report of the Committee on Relations with the Host Country,[1]

Recalling Article 105 of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations,[2] the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations[3] and the responsibilities of the host country,

Recognizing that effective measures should continue to be taken by the competent authorities of the host country, in particular to prevent any acts violating the security of missions and the safety of their personnel,

Noting the spirit of cooperation and mutual understanding that has guided the deliberations of the Committee on issues affecting the United Nations community and the host country,

Noting also that the membership of the Committee has been increased by four additional Member States, and welcoming their participation in the work of the Committee,

1. *Endorses* the recommendations and conclusions of the Committee on Relations with the Host Country contained in paragraph 43 of its report;[1]

2. *Considers* that the maintenance of appropriate conditions for the normal work of the delegations and the missions accredited to the United Nations is in the interest of the United Nations and all Member States, and requests the host country to continue to take all measures necessary to prevent any interference with the functioning of missions;

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[1] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 26* (A/54/26).
[2] Resolution 22 A (I).
[3] See resolution 169 (II).

99-34726 (E) 151199

3. *Expresses its appreciation* for the efforts made by the host country, and hopes that the issues raised at the meetings of the Committee will continue to be resolved in a spirit of cooperation and in accordance with international law;

4. *Notes* that during the reporting period the travel controls previously imposed by the host country on staff of certain missions and staff members of the Secretariat of certain nationalities remained in effect, and requests the host country to consider removing such travel control, and in this regard notes the positions of affected States, of the Secretary-General and of the host country;

5. *Requests* the host country to continue to take steps to resolve the problem relating to the parking of diplomatic vehicles in a fair, balanced and non-discriminatory way, with a view to responding to the growing needs of the diplomatic community, and to continue to consult with the Committee on this important issue;

6. *Requests* the Secretary-General to remain actively engaged in all aspects of the relations of the United Nations with the host country;

7. *Requests* the Committee to continue its work in conformity with General Assembly resolution 2819 (XXVI);

8. *Decides* to include in the provisional agenda of its fifty-fifth session the item entitled "Report of the Committee on Relations with the Host Country".

United Nations A/C.6/54/L.18

General Assembly

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Fifty-fourth session
Sixth Committee
Agenda item 154
United Nations Decade of International Law

Cameroon: Amendment to draft resolution A/C.6/54/L.10

United Nations Decade of International Law

After operative paragraph 15, insert the following paragraph:

15*bis*. *Recalls* that, under Article 94 of the Charter of the United Nations, each Member of the United Nations undertakes to comply with the decision of the International Court of Justice in any case to which it is a party.

99-34115 (E) 111199 111199

United Nations A/C.6/54/L.19

General Assembly

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16 November 1999

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Fifty-fourth session
Sixth Committee
Agenda item 152
Convention on jurisdictional immunities of States and their property

Draft resolution submitted by the coordinating delegation

Convention on jurisdictional immunities of States and their property

The General Assembly,

Recalling its resolution 53/98 of 8 December 1998,

Having considered the report of the Working Group of the International Law Commission on jurisdictional immunities of States and their property, annexed to the report of the Commission on the work of its fifty-first session,[1]

Having considered the oral report made to the Committee by the Chairman[2] of the open-ended working group of the Sixth Committee established under its resolution 53/98 of 8 December 1998,

Having considered the report of the Secretary-General,[3]

1. *Takes note with appreciation* of the report of the Working Group of the International Law Commission on jurisdictional immunities of States and their property annexed to the report of the International Law Commission on the work of its fifty-first session;[1]

2. *Urges* States, if they have not yet done so, to submit their comments to the Secretary-General in accordance with resolution 49/61 of 9 December 1994 and also invites States to submit in writing to the Secretary-General, by 1 August 2000, their comments on the above-mentioned report of the Working Group;

3. *Decides* that the open-ended working group of the Sixth Committee established under its resolution 53/98 of 8 December 1998 will continue its work at its fifty-fifth session to consider the future form of, and outstanding substantive issues related to, the draft articles

[1] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 10* (A/54/10), annex.
[2] See A/C.6/54/L.12.
[3] A/54/266.

99-35096 (E) 161199

on jurisdictional immunities of States and their property adopted by the International Law Commission;

4. *Also decides* to include in the provisional agenda of its fifty-fifth session the item entitled "Convention on jurisdictional immunities of States and their property".

United Nations A/C.6/54/L.19/Corr.1

General Assembly

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Fifty-fourth session
Sixth Committee
Agenda item 152
Convention on jurisdictional immunities of States and their property

Japan: draft resolution

Conventio . on jurisdictional immunities of States and their property

Corrigendum

1. **Title and subtitle**

The title and subtitle of document A/C.6/54/L.19 dated 16 November 1999 should read as above.

2. **Third preambular paragraph**

The paragraph *should read*

Having considered the oral report made to the Sixth Committee by the Chairman[2] of the open-ended working groups of the Committee established under its resolution 53/98,

3. **Operative paragraph**

(a) *For* and their property *read* and their property,

(b) *For* report of the International Law Commission *read* report of the Commission

4. **Operative paragraph 3**

(a) *For* under its resolution 53/98 of 8 December 1998 *read* under its resolution 53/98

(b) At the end of the paragraph, *insert* at its forty-third session;[4]

(c) *New* footnote 4 *reads*

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[4] *Yearbook of the International Law Commission, 1991*, vol. II (Part Two), document A/46/10, para. 28.

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United Nations A/C.6/54/L.20

General Assembly

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Fifty-fourth session
Sixth Committee
Agenda item 161
Review of the Statute of the United Nations Administrative Tribunal

Draft decision proposed by the coordinator

Review of the Statute of the United Nations Administrative Tribunal

The General Assembly, recalling its decision 53/430 of 8 December 1998, desiring to review the provisions of the Statute of the United Nations Administrative Tribunal, taking note of the draft resolution presented by the delegations of France, Ireland and the United Kingdom of Great Britain and Northern Ireland, contained in document A/C.6/54/L.13/Rev.1, mindful of the comments made by States on the draft resolution at its fifty-fourth session, decides to include in the provisional agenda of its fifty-fifth session the item entitled "Review of the Statute of the United Nations Administrative Tribunal".

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United Nations A/C.6/54/L.20/Corr.1

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Fifty-fourth session
Sixth Committee
Agenda item 161
Review of the Statute of the United Nations Administrative Tribunal

Draft decision

Review of the Statute of the United Nations Administrative Tribunal

Corrigendum

The title and subtitle of document A/C.6/54/L.20 dated 16 November 1999 should read as above.

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United Nations A/C.6/54/L.21

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Fifty-fourth session
Sixth Committee
Agenda item 155
Report of the International Law Commission on the work of its fifty-first session

Report of the International Law Commission on the work of its fifty-first session

Programme budget implications of revised draft resolution A/C.6/54/L.7/Rev.1

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

A. Requests contained in the revised draft resolution

1. By operative paragraphs 10 and 11 of revised draft resolution A/C.6/54/L.7/Rev.1, the General Assembly would:

(a) Decide, without prejudice to any future decision, that the next session of the International Law Commission will be held in the United Nations Office at Geneva from 1 May to 9 June and from 10 July to 18 August 2000;

(b) Request the Commission to implement arrangements in accordance with paragraph 639 of its report.[1]

B. Background

2. Pursuant to the request by the General Assembly in its resolution 53/206 of 18 December 1998, the International Law Commission examined the advantages and disadvantages of holding split sessions as of 2000. The Commission, at its fifty-first session,

[1] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 10* and corrigenda (A/54/10 and Corr.1 and 2).

99-35287 (E) 171199

expressed the view that a split session would allow intra-sessional preparation to be carried out in a way that would make the second part of a split session more productive and cited several examples to support that view.[2]

3. The Commission also expressed the view that splitting the session would increase attendance and thus contribute to the original benefit perceived to flow from the nature of the Commission as a non-full-time responsibility for the members, and that past experience in 1998 with a split session supported that view.[3]

4. The Commission pointed out that any cost increase flowing from a split session should be more than offset, by way of results-based analysis, by increased productivity and that cost savings could be achieved by reorganizing the work programme of a split session, so that one or two weeks at the end of the first part of the session and/or the beginning of the second part of the session could be devoted exclusively to the meetings which require the attendance of limited numbers of the members of the Commission. It also stated that it would put such arrangements into effect in 2000.[4]

C. Relationship of the proposed requests to the medium-term plan for the period 1998-2001 and to the proposed programme of work for the biennium 2000-2001

5. The above-mentioned request of the Assembly relates to activities in subprogramme 3, Progressive development and codification of international law, of programme 4, Legal affairs, and to programme 27, General Assembly and Economic and Social Council Affairs and Conference Services, of the medium-term plan for the period 1998-2001 and to section 8, Legal affairs, and section 2, General Assembly affairs and conference services, of the proposed programme budget for the biennium 2000-2001. No modifications to those programmes would be necessary as a result of the activities requested in the draft resolution.

D. Additional requirements for the biennium 2000-2001

6. A provision has been made in the proposed programme budget for the biennium 2000-2001 for the convening of two 12-week sessions at Geneva, one session in 2000 and one in 2001. The requirements for honoraria and travel for members of the Commission, and travel of Secretariat staff for the two 12-week sessions at Geneva were estimated at $1,961,200.

7. Should the General Assembly adopt the revised draft resolution, the Commission will hold a 12-week split session at Geneva from 1 May to 9 June and from 10 July to 18 August 2000. The holding of a split session would result in additional costs for travel of the Chairman and members of the Commission ($90,000) and travel and subsistence for members of the Secretariat ($15,230).

[2] Ibid., para. 636.
[3] Ibid., para. 637.
[4] Ibid., para. 639.

E. Potential for absorption

8. Substantive servicing of two 12-week sessions of the International Law Commission has been included in the proposed programme budget for the biennium 2000-2001. There is no provision, however, for the additional requirements related to the convening of two split sessions.

9. With regard to conference-servicing requirements, the proposed programme budget for the biennium 2000-2001 includes provision, not only for meetings already in the calendar of conferences, but also for meetings to be added at a subsequent stage by decision of the General Assembly, provided that the number and distribution of meetings is consistent with the pattern in previous years. On this basis, it is anticipated that no additional resources would be required for the provision of conference services for the Commission.

F. Contingency fund

10. It will be recalled that, under the procedure established by the General Assembly in its resolution 41/213 of 19 December 1986, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. Under the same procedure, if proposed additional expenditures exceed resources available from the contingency fund, those activities can be implemented only through redeployment of resources from low-priority areas or modification of projected activities. Otherwise such additional activities will have to be deferred until a subsequent biennium. A consolidated statement of all programme budget implications and revised estimates will be submitted to the Assembly towards the end of its current session.

G. Summary

11. Accordingly, should the General Assembly adopt revised draft resolution A/C.6/54/L.7/Rev.1, an additional amount of $105,230 would be required under section 8, Legal affairs, of the proposed programme budget for the biennium 2000-2001.